

PLEA MINUTE SHEET IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO (AT ALBUQUERQUE)				
CR 12-1248 LFG		UNITED STATES vs. BEN, Jr.		
Before The Honorable Lorenzo F. Garcia, United States Magistrate Judge				
Hearing Date:	January 3, 2013	Time In and Out:	3:13 pm - 3:37 pm	
Clerk:	K. Dapson	Digital Recorder:	Liberty - Pecos	
Defendant:	Herbert Ben, Jr.	Defendant's Counsel:	Michael Alraid, Jr.	
AUSA:	Jacob Wishard	Interpreter:		<input type="checkbox"/> Sworn <input type="checkbox"/> Waived
<input checked="" type="checkbox"/>	Defendant Sworn		<input type="checkbox"/>	First Appearance
<input checked="" type="checkbox"/>	Consent to proceed before a magistrate judge executed with full knowledge of meaning and effect.			
<input checked="" type="checkbox"/>	Deft acknowledges receipt of: Information			
<input checked="" type="checkbox"/>	If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.			
<input checked="" type="checkbox"/>	Terms and conditions of proposed plea agreement explained.			
<input checked="" type="checkbox"/>	Factual predicate to sustain the plea provided.			
<input checked="" type="checkbox"/>	Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.			
<input checked="" type="checkbox"/>	Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).			
<input checked="" type="checkbox"/>	Deft questioned re time to consult with attorney and if satisfied with his or her representation.			
<input checked="" type="checkbox"/>	Court finds Deft fully understands charge(s), terms of plea, and the consequences of entry into plea agreement.			
<input checked="" type="checkbox"/>	Deft pleads GUILTY to: Information			
<input checked="" type="checkbox"/>	Allocution by Deft on elements of charge(s).			
<input checked="" type="checkbox"/>	Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.			
<input checked="" type="checkbox"/>	Deft adjudged guilty.			
<input checked="" type="checkbox"/>	Acceptance of plea agreement deferred until final disposition hearing by district judge.			
<input checked="" type="checkbox"/>	Sentencing Date: to be notified			
	Defendant to Remain in Custody			
<input checked="" type="checkbox"/>	Conditions of release set	<input type="checkbox"/>	Conditions changed to:	
<input checked="" type="checkbox"/>	Penalty for failure to appear explained			
<input checked="" type="checkbox"/>	Presentence Report Ordered	<input type="checkbox"/>	Expedited (Type III)	
	Other Matters:			